



I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY:

Allen J. Allen

DATE:

December 28, 2004

**PATENT
MAIL STOP AMENDMENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:	Patent Application of Albert B. Deisseroth et al.	: Group Art Unit: 1632 : :
Appln. No.:	09/856,922	: Examiner: Scott D. Priebe : :
Filed:	August 5, 2002	: : :
For:	PLASTIN PROMOTER DIRECTED GENE THERAPY	: Attorney : Docket No.: 044574-5059

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the Restriction Requirement dated July 1, 2004 (Paper No./Mail Date 20040625), issued in connection with the above-identified application, Applicants elect to prosecute the claims of Group I, claims 1-4, 6-10, 29 and 30, drawn to a conditionally replication competent adenoviral vector comprising a plastin promoter operably linked to the adenoviral E1 gene.

This election is being made without traverse and without prejudice to the inclusion of the subject matter of the non-elected claims in any later filed divisional or continuation application(s).

This response is being timely filed in view of a five month extension of time and accompanying fee included with this election, which extends the time for a response up to and including January 3, 2005 (January 1, 2005 and January 2, 2005 being a Saturday and Sunday, respectively).

Favorable examination of claims 1-4, 6-10, 29 and 30 is respectfully requested.

Respectfully submitted,

ALBERT B. DEISSEROTH *ET AL.*

December 28, 2004
(Date)

By:

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Enclosures: Petition for extension of time
Supplemental Amendment



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[Signature]

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SUPPLEMENTAL AMENDMENT

This Supplemental Amendment accompanies the Response to Restriction Requirement concomitantly filed herewith. The present Amendment merely serves to add priority claim in the present application.